

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-25-C - ORDER NO. 2008-394

JUNE 3, 2008

IN RE: Complaint of Wayne Pennell v. Rock Hill	) ORDER DIRECTING
Telephone Company d/b/a Comporium	) COMPLAINANT TO
Communications	) PROVIDE
	) INFORMATION,
	) GRANTING A ONE
	) WEEK EXTENSION TO
	) FILE REMAINING
	) TESTIMONY, AND
	) APPOINTING A
	) HEARING OFFICER

This matter comes before the Public Service Commission of South Carolina (“Commission”) on a letter filed by the Rock Hill Telephone Company d/b/a Comporium Communications (“Comporium”) requesting the Commission instruct Wayne Pennell (“Complainant”) to provide Comporium’s representative with all information that has or will be filed in this Docket, a one week extension for all remaining testimony filing deadlines, and the appointment of a hearing officer. Regarding the first request, Comporium states that Pennell has failed to provide it with materials filed in this case. Consequently, Comporium asserts that since it was unable to review these materials, it was unable to meet certain filing deadlines set by the Commission.

We grant Comporium’s requests, holding that Pennell is required to provide Comporium with all the information that he has or will file in this Docket. We also hold that Comporium is granted, *nunc pro tunc*, a one week extension to the remaining filing deadlines. Additionally, we direct Pennell to provide the Commission, the South

Carolina Office of Regulatory Staff, and Comporium with a contact telephone number as required by S.C. Code Ann. Regs. 103-824(A)(1) (September 28, 2007).

Lastly, we appoint Joseph Melchers as a hearing officer in the present case. This appointment is in order that the hearing officer may dispose of procedural and evidentiary matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2007).

Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the commission, to rule on questions concerning the conduct of the case and other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

We find that Joseph M. Melchers meets these qualifications, and we therefore grant the Motion appointing him as hearing officer in this case. As hearing officer in this proceeding, we direct Mr. Melchers to rule on appropriate matters in the case.

IT IS THEREFORE ORDERED:

1. Complainant Wayne Pennell is to provide the representative of Respondent Comporium Communications with all information that has or will be filed in this Docket.

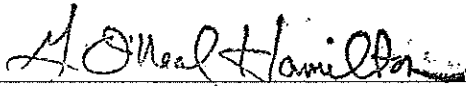
2. Comporium Communications is granted a one-week extension of time, *nunc pro tunc*, to the filing deadlines in this Docket.

3. Complainant Wayne Pennell is required to provide the Commission, the South Carolina Office of Regulatory Staff, and Comporium Communications with a contact telephone number.

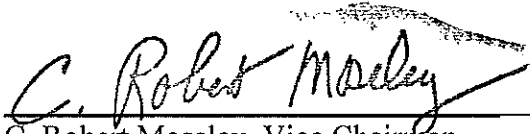
4. Joseph M. Melchers is hereby appointed as hearing officer in the pending proceeding for disposition of procedural and evidentiary matters.

5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
\_\_\_\_\_  
G. O'Neal Hamilton, Chairman

ATTEST:

  
\_\_\_\_\_  
C. Robert Moseley, Vice Chairman

(SEAL)